



AIR TRANSPORT ASSOCIATION

January 6, 2005

Mr. Robert C. Ashby
Deputy Assistant General Counsel
for Regulation and Enforcement
400 Seventh Street, SW – Room 10424
Washington, DC 20590

Re: Nondiscrimination on the Basis of Disability in Air Travel, Docket No. OST-2004-19482; Request to Extend Comment Period

Dear Mr. Ashby:

The Air Transport Association of America, Inc. (“ATA”), on behalf of its member air carriers,¹ appreciates the opportunity to provide comments on the Department’s November 4, 2004, notice of proposed rulemaking (“NPRM”) regarding Nondiscrimination on the Basis of Disability in Air Travel. ATA and its members look forward to continuing to work cooperatively with the Department to improve air travel for disabled passengers. The comment period for the proposed rulemaking is set to close on February 2, 2005, but ATA respectfully requests that the Department extend the comment period by 30 days to allow ATA and other interested parties to fully evaluate the proposed rule and develop constructive comments for the Department’s consideration. With this extension, the comment period would end on March 4, 2005.

If the Department were to extend the comment period as requested, ATA could provide useful information regarding the anticipated impacts of the multiple proposals contained in the NPRM. ATA and its members have already begun to evaluate the impacts of the NPRM on some aspects of the carriers’ operations and have identified a number of areas that will require the collection of information from various different departments within each carrier. For example, each carrier will need to consult with in-house (and possibly outside) specialists to determine whether the Department’s proposals regarding web site accessibility are technologically feasible given the wide variations in technology among carrier web sites. That analysis, in turn, will assist in determining whether the Department’s cost estimate for compliance with the proposed accessibility standards is fair and accurate.

¹ ATA serves as the principal trade and service organization of the major scheduled air carriers in the United States. ATA’s members include: ABX Air, Alaska Airlines, Aloha Airlines, America West Airlines, American Airlines, ASTAR Air Cargo, ATA Airlines, Atlas Air, Continental Airlines, Delta Air Lines, Evergreen International Airlines, FedEx Corp., Hawaiian Airlines, JetBlue Airways, Menlo Worldwide Forwarding, Midwest Airlines, Northwest Airlines, Polar Air Cargo, Southwest Airlines, United Airlines, UPS Airlines and US Airways; associate members include Aeromexico, Air Canada, Air Jamaica and Mexicana.

The additional time would also permit the carriers to fully explore the impacts of the proposed rule on operations performed jointly with code-share and regional partners or other carriers with whom, under the proposed rule, our members will share responsibility for providing services to disabled passengers. With the additional time, we would also be able to better articulate for the Department any areas where we believe the proposed rule could be improved to better achieve the goals of the Air Carrier Access Act. Extending the comment period will not adversely affect other interested parties, and we understand that other stakeholders will support this request.

For the reasons given above, we believe good cause exists to grant our request and that an extension would be in the public interest. Please let us know if you have any questions.

Respectfully submitted,

Air Transport Association of America, Inc.

A handwritten signature in black ink, reading "Sophy Chen". The signature is written in a cursive, flowing style. The first name "Sophy" is written with a large, looped 'S' and the last name "Chen" is written in a similar cursive style.

Sophy Chen, Esq.
Senior Attorney